

**TOWN OF VERNON
Planning & Zoning Commission (PZC)
Minutes – Regular Meeting
Thursday, August 2, 2012, 7:00 PM
Council Chambers, Third Floor
Memorial Building
14 Park Place
Rockville/Vernon, CT**

RECEIVED
VERNON TOWN CLERK
12 AUG 13 PM 2:34

1. Call to Order & Roll Call

- ◆ **Meeting was called to order at 7:02 P.M.**
- ◆ **Regular Members Present:** Chester Morgan, Francis Kaplan, Charles Bardes, Victor Riscassi, William Roch, Harry Thomas and Dan Anderson.
- ◆ **Alternate Members Present:** Richard Dias.
- ◆ **Staff Present:** Leonard Tundermann, Town Planner
- ◆ **Recording Secretary:** James Krupinski (Not Present)

2. Administrative Actions/ Requests

2.1 Amendment / Adoption of Agenda - Additional business to be considered under agenda item #6 "Other Business"

- ◆ **Harry Thomas, seconded by Charles Bardes moved a Motion to Adopt the Agenda as Amended through July 31, 2012. Motion carried unanimously.**

2.2 Communications received NOT related to Agenda items

- ◆ **None**

2.3 Acceptance of Minutes

- ◆ **Charles Bardes, seconded by William Roch moved a motion to adopt the Regular Meeting minutes of July 5, 2012. Motion carried unanimously.**
- ◆ **Charles Bardes, seconded by Dan Anderson moved a motion to adopt the Regular Meeting minutes of July 19, 2012. Motion carried unanimously.**

3. Public Hearings

3.1 Application [PZ-2012-12] of Giovanna Izzo dba (Antonio's Italian Pizzeria, LLC) for a Special Permit for the conversion of the former Restaurant at #172 Union Street to a Church (Assessor ID: Map #22, Block #52, Lot/Parcel #0007A)

- ◆ **Leonard Tundermann, Town Planner read the Legal Notice into the Record.**

***Public Notice
Town of Vernon***

The Vernon Planning & Zoning Commission (PZC) will hold the following public hearing at its regular meeting at 7:00 PM on Thursday, August 2, 2012, in the Town Hall Council Chambers on the Third Floor at 14 Park Place, Rockville / Vernon:

Application [PZ-2012-12] of Giovanna Izzo dba (Antonio's Italian Pizzeria, LLC) for a Special Permit for the conversion of the former Restaurant at #172 Union Street to a Church (Assessor ID: Map #22, Block #52, Lot/Parcel #0007A)

This PZC application is available for inspection by the public in the office of the Planning Department, Vernon Town Hall, 55 West Main Street, Rockville, CT.

*Chester Morgan, Chairperson
Planning & Zoning Commission (PZC)*

- ◆ **Giovanna Izzo, Owner:**
 - Requesting to utilize property as a church then eventually converting it back to a restaurant.
- ◆ **Francis Kaplan** questioned if parking would be sufficient for the requested use.
- ◆ **Leonard Tundermann, Town Planner** indicated that the parking was designed for the prior restaurant use.
- ◆ **Staff Input:**
 - Requires compliance with Special Permit requirements of §17.3;
 - 1983 Plot Plan shows 43 parking spaces. Would only require 31 spaces for house of worship.
 - Commission could find compliance with Special Permit criteria.
- ◆ **Charles Bardes** questioned if prior restaurant operated under a Special Permit. Questioned if a Special Permit would be required to convert back to restaurant use.
- ◆ **Leonard Tundermann** indicated that a Special Permit could not be located in the Land Records and the applicant would need to apply for a Special Permit for the Restaurant use if one could not be located.
- ◆ **Call for Intervenors:** None
- ◆ **Public Input –** None
- ◆ **Public Comment:**
 - **Bishop Dr. Samuel L. Beason, 53 Deerfield Avenue, East Hartford**
 - Currently 15-20 church goers and hope to expand eventually.
 - Sunday Morning services only.
 - **Alan Humphries, 348 Vernon Avenue**
 - Speaking on behalf of daughter and son-in-law.
 - Concerned with additional on street parking that would take place and encroach on their property.
 - **Andrea Beason, Reverends Spouse:**
 - Indicated that car pooling does occur currently and would take precautions to limit parking.
- ◆ **Staff Input:**
 - **Leonard Tundermann, Town Planner:**
 - Existing site has parking for forty-two (42) vehicles;
 - Place of assemble would require 31 spaces with no fixed seating;
 - Could not exceed parking load in excess of 31 spaces.
- ◆ **Rebuttal and Summation –** None
- ◆ **Public Hearing** was closed at 7:23 P.M.
- ◆ **Charles Bardes, seconded by Harry Thomas** moved a Motion to Approve the Application PZ-2012-12 be approved without a restriction on on-street parking. Motion carried unanimously.

- 3.2 Application [PZ-2012-13] of Fancy Feet Professional Pet Grooming, LLC for a Modification to the Special Permit for Outdoor Animal Play area for Doggie Day Care/Kennel Days at #593-601 Talcottville Road (Assessor's ID: Map # 08, Block #0002, Lot/Parcel #00015)

- ◆ Leonard Tundermann, Town Planner read the Legal Notice into the Record.

Public Notice

Town of Vernon

The Vernon Planning & Zoning Commission (PZC) will hold the following public hearing at its regular meeting at 7:00 PM on Thursday, August 2, 2012, in the Town Hall Council Chambers on the Third Floor at 14 Park Place, Rockville / Vernon:

Application [PZ-2012-13] of Fancy Feet Professional Pet Grooming, LLC for a Modification to the Special Permit for Outdoor Animal Play area for Doggie Day Care/Kennel Days at #593-601 Talcottville Road (Assessor's ID: Map # 08, Block #0002, Lot/Parcel #00015)

This PZC application is available for inspection by the public in the office of the Planning Department, Vernon Town Hall, 55 West Main Street, Rockville, CT.

Chester Morgan, Chairperson

Planning & Zoning Commission (PZC)

- ◆ Brian Zimmermann, General Manager/Co-Owner, 11 Abbott Road, Ellington:
 - Requesting an outdoor pet daycare area would operate from 8am to 5:30 pm Monday thru Friday.
 - Area to be enclosed with a solid fence with a roller barrier to prevent animals from escaping;
- ◆ Harry Thomas questioned if residents in the area were aware of the outdoor daycare area. Mr. Zimmermann was not aware if they have been notified.
- ◆ Dan Anderson questioned if the State Dept of Agriculture license indicated a maximum amount of dogs. Mr. Zimmermann indicated that they do not establish a limit.
- ◆ Dan Anderson questioned handling of pet effluent for collection and disposal and outlined by the North Central District Health Department (NCDHD). Mr. Zimmermann indicated that they would not be able to move forward until the North Central District Health Department (NCDHD) was satisfied.
- ◆ Charles Bardes questioned monitoring of the pets. Mr. Zimmermann indicated that one (1) person per eight (8) dogs to monitor.
- ◆ Staff Input:
 - Leonard Tundermann, Town Planner:
 - Discharge of effluent with North Central District Health Department (NCDHD) needs to be addressed first;
 - Town owned property to the rear of the site;
 - Need to address habitual barking dogs.
- ◆ Mr. Zimmermann indicated that problem dogs would be removed from the daycare area and vicious dogs are not allowed back at the daycare for safety reasons.
- ◆ Call for Intervenor – None
- ◆ Public Input – None
- ◆ Public Comment:
 - Kenneth Bastubner, 23 Loveland Hill Road
 - Concerned with possible noise impact from the dogs in the outdoor daycare area;
 - Elizabeth Badstubner, 23 Loveland Hill Road

- **Concerned with possible impact to rental property located at Sherwood Arms and the residents.**
- ♦ **Rebuttal & Summation – None**
- ♦ **Dan Anderson questioned noise ordinance in town. Leonard Tundermann, Town Planner indicated that the Town of Vernon does not have a noise ordinance.**
- ♦ **Dan Anderson questioned the effect of limiting the amount of dogs in the outdoor daycare area. Mr. Zimmermann requested a limit of twenty (20) dogs.**
- ♦ **Public Hearing was closed at 7:51 P.M.**
- ♦ **Charles Bardes, seconded by William Roch moved a Motion to Approve the Application with the following stipulations:**
 - **The North Central District Health Department (NCDHD) and application come to and agreement on how the dog waste material from the exercise area would be disposed of.**
 - **The applicant will removed from the outside daycare area any animal causing excessive continuous barking for the health and safety of the members of the public.**
- ♦ **Dan Anderson offered a friendly amendment to allow hours of operation of the outdoor play area as Monday through Friday from 8:00 A.M. to 5:30 P.M. Friendly amendment was accepted.**
- ♦ **Motion carried 5-2 with Commissioner Riscassi and Thomas opposed.**

4. Old Business

5. New Business.

- ♦ **Leonard Tundermann, Town Planner supplied replacement Zoning Regulation pages based upon prior commission approvals.**

5.1 Receipt of Applications:

- 5.1.1 Application [PZ-2012-14] of Alfred Pedemonti for a Site Plan of Development/Special Permit to convert the Old Talcott Mill Building to 84 Residential Units at #47 Main Street (Assessor's ID: Map #02, Block #158, Lot/Parcel #00003)
 - ♦ **William Roch, seconded by Francis Kaplan moved a Motion to receive and Schedule a Public Hearing on September 6, 2012. Motion carried unanimously.**
- 5.1.2 Application [PZ-2012-15] of Terry & Louise Kennedy for a Special Permit to convert a two family dwelling into a three family dwelling at #92-94 Village Street (Assessor's ID: Map #23, Block #0093, Lot/Parcel #00035)
 - ♦ **William Roch, seconded by Charles Bardes moved a Motion to receive and Schedule a Public Hearing on August 16, 2012. Motion carried unanimously**
- 5.1.3 Application [PZ-2012-16] of Subpeak, Inc. for Special Permits and modification of a site plan of development to construct two additions for new vehicle delivery and vehicle servicing to building at #14 Hartford Turnpike, with related utility work at #6 Hartford Turnpike (Assessor's ID: Map #01, Block #0159, Lots/Parcels #0001A & #0001B)
 - ♦ **Harry Thomas, seconded by Charles Bardes moved a Motion to receive and Schedule a Public Hearing on August 16, 2012. Motion carried unanimously**

6. Other Business

- 6.1 Additional business to be considered should be introduced under PZC meeting agenda item “#2.1 Amendment / Adoption of Agenda” at the beginning of the meeting.

7. Adjournment.

- ♦ **William Roch, seconded by Francis Kaplan moved a Motion to Adjourn. Motion carried unanimously**
- ♦ **Meeting Adjourned at 8:05 P.M.**

James Krupinski
Recording Secretary